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Fifty-fourth session
Agenda item 26

REPORT TO THE ECONOMIC AND SOCIAL COUNCIL ON THE FIFTY-FOURTH SESSION OF THE COMMISSION

DRAFT REPORT OF THE COMMISSION

Rapporteur: Mr. Roman KUZNIAR

CONTENTS*

Chapter

XVIII. IMPLEMENTATION OF THE DECLARATION ON THE ELIMINATION OF ALL FORMS OF INTOLERANCE AND OF DISCRIMINATION BASED ON RELIGION OR BELIEF

* Documents E/CN.4/1998/L.10 and addenda will contain the chapters of the report relating to the organization of the session and the various items on the agenda. Resolutions and decisions adopted by the Commission, as well as draft resolutions and decisions for action by, and other matters of concern to, the Economic and Social Council, will be contained in documents E/CN.4/1998/L.11 and addenda.

GE.98-12100 (E)

XVIII. IMPLEMENTATION OF THE DECLARATION ON THE ELIMINATION OF ALL FORMS OF INTOLERANCE AND OF DISCRIMINATION BASED ON RELIGION OR BELIEF

1. The Commission considered agenda item 18 concurrently with items 11 and 16 (see chaps. XI and XVI) at its 21st to 24th meetings, from 27 March to 31 March, and at its 39th meeting, on 9 April 1998. 1/

2. For the documents issued under agenda item 18, see annex IV to the present report. For a list of all resolutions and decisions adopted by the Commission and Chairman's statements, by agenda item, see annex V to the present report.

3. At the 22nd meeting, on 30 March 1997, the Special Rapporteur on the question of religious intolerance, Mr. Abdelfattah Amor, introduced his report (E/CN.4/1998/6 and Add.1 and 2). At the 24th meeting, on 31 March 1998, the Special Rapporteur made his concluding remarks.

4. In the general debate on agenda item 18, statements 2/ were made by the following members of the Commission: India (22nd), Ireland (21st), Pakistan (24th), Republic of Korea (22nd), Russian Federation (22nd), Sri Lanka (22nd), Sudan (24th), Ukraine (23rd), United States of America (23rd).

5. The Commission heard statements by the observers for: Afghanistan (23rd), Algeria (23rd), Cyprus (24th), Iran (Islamic Republic of) (24th), Lithuania (24th), Norway (24th).

6. The Commission also heard statements by the following non-governmental organizations: African Association of Education for Development (24th), African Commission of Health and Human Rights Promoters (21st), Afro-Asian People's Solidarity Organization (24th), Aliran Kesedaran Negara-National Consciousness Movement (21st), Association for World Education (21st), Baptist World Alliance (23rd), Christian Solidarity International (21st), Franciscans International (23rd), Fraternité Notre Dame (22nd), General Conference of Seventh-Day Adventists (23rd), International Association for the Defence of Religious Liberty (21st), International Association for Religious Freedom (23rd), International Educational Development, Inc. (21st), International Human Rights Association of American Minorities (joint statement with World Society of Victimology) (24th), International Indian Treaty Council (21st), International Institute for Peace (24th), International Progress Organization (24th), Lutheran World Federation (on behalf of Conference of European Churches, World Alliance of Reformed Churches, World Council of Churches) (21st), North South XXI (23rd), Society for Threatened Peoples (23rd), World Muslim Congress (24th).

7. Statements in exercise of the right of reply or its equivalent were made by the representative of the Sudan (23rd) and by the observer for Viet Nam (23rd).

Implementation of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief

8. At the 39th meeting, on 9 April 1998, the representative of Ireland introduced draft resolution E/CN.4/1998/L.34, sponsored by Andorra, Argentina, Armenia, Australia, Austria, Bangladesh, Belgium, Bosnia and Herzegovina, Bulgaria, Cameroon, Canada, Chile, Croatia, Cuba, Cyprus, the Czech Republic, Denmark, El Salvador, Finland, France, Germany, Greece, Guatemala, Iceland, India, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, the Netherlands, New Zealand, Peru, Portugal, the Republic of Korea, Romania, the Russian Federation, Slovenia, Spain, Sweden, Switzerland, Tunisia, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Venezuela. Belarus, Botswana, Ecuador, El Salvador, Hungary, Israel, Malta, Norway, Poland, South Africa, Ukraine and Uruguay subsequently joined the sponsors.

9. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications 3/ of the draft resolution.

10. The draft resolution was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/18.

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REPORT TO THE ECONOMIC AND SOCIAL COUNCIL ON THE FIFTY-FOURTH SESSION OF THE COMMISSION

DRAFT REPORT OF THE COMMISSION

Rapporteur: Mr. Roman KUZNIAR

CONTENTS*

Chapter

XIX. DRAFTING OF A DECLARATION ON THE RIGHT AND RESPONSIBILITY OF INDIVIDUALS, GROUPS AND ORGANS OF SOCIETY TO PROMOTE AND PROTECT UNIVERSALLY RECOGNIZED HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

* Documents E/CN.4/1998/L.10 and addenda will contain the chapters of the report relating to the organization of the session and the various items on the agenda. Resolutions and decisions adopted by the Commission, as well as draft resolutions and decisions for action by, and other matters of concern to, the Economic and Social Council, will be contained in documents E/CN.4/1998/L.11 and addenda.

GE.98-11744 (E)

XIX. DRAFTING OF A DECLARATION ON THE RIGHT AND RESPONSIBILITY OF INDIVIDUALS, GROUPS AND ORGANS OF SOCIETY TO PROMOTE AND PROTECT UNIVERSALLY RECOGNIZED HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

1. The Commission considered agenda item 19 at its 29th to 31st meetings, on 2 and 3 April 1998. 1/

2. For the documents issued under agenda item 19, see annex IV to the present report. For a list of all resolutions and decisions adopted by the Commission and Chairman's statements, by agenda item, see annex V to the present report.

3. At the 29th meeting, on 2 April 1998, the Chairman-Rapporteur of the working group on the draft declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms, Mr. Jan Helgesen, introduced the report of the working group on its thirteenth session (E/CN.4/1998/98).

4. In the general debate on agenda item 19, statements 2/ were made by the following members of the Commission: Canada (29th), Chile (29th), China (29th), Cuba (29th), El Salvador (30th), Pakistan (30th), South Africa (29th), United Kingdom of Great Britain and Northern Ireland (on behalf of the European Union, Bulgaria, Cyprus, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia, Slovenia) (29th), United States of America (29th), Venezuela (29th).

5. The Commission heard statements by the observers for: Australia (29th), Egypt (29th), Lithuania (30th), New Zealand (30th), Nigeria (30th), Norway (29th). The observer for Switzerland also made a statement (30th).

6. The Commission also heard statements by the following non-governmental organizations: African Commission of Health and Human Rights Promoters (30th), American Association of Jurists (30th), Franciscans International(30th), Human Rights Internet (30th), International Federation of Human Rights Leagues (joint statement with World Organization against Torture) (30th), International Service for Human Rights (joint statement with Amnesty International, Article XIX Asian Cultural Forum on Development, Association for the Prevention of Torture, Baha'i International Community, Food First Information and Action Network, Franciscans International, International Commission of Jurists, International Federation of ACAT (Action of Christians for the Abolition of Torture) and ACAT-Mexico, International Human Rights Law Group, International Indian Treaty Council, International Movement against all

Forms of Discrimination and Racism, Latin American and Caribbean Committee for the Defence of Women's Rights, Latin American Federation of Associations of Relatives of Disappeared Detainees, Lawyers' Committee for Human Rights, Movement against Racism and for Friendship among Peoples, Pax Christi International, United Nations Association of Great Britain and Northern Ireland, Women's International League for Peace and Freedom) (30th), Tunisian Mothers' Association (30th), World Movement of Mothers (30th).

Question of a draft declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms

7. At the 31st meeting, on 3 April 1998, the observer for Norway introduced draft resolution E/CN.4/1998/L.18, sponsored by Argentina, Australia, Austria, Brazil, Canada, Chile, the Czech Republic, Denmark, the Dominican Republic, El Salvador, Estonia, Finland, France, Germany, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, the Netherlands, New Zealand, Nicaragua, Norway, Poland, Portugal, Romania, Senegal, Slovakia, South Africa, Spain, Sri Lanka, Sweden, Switzerland, Turkey, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Venezuela. Angola, Belarus, Belgium, Bolivia, Botswana, Bulgaria, Costa Rica, Ecuador, Georgia, Greece, Guatemala, India, Israel, Pakistan, the Republic of Korea, the Russian Federation, Ukraine and Uruguay subsequently joined the sponsors.

8. A statement in explanation of vote before the vote was made by the representative of Cuba.

9. The draft resolution was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/7.

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REPORT TO THE ECONOMIC AND SOCIAL COUNCIL ON THE FIFTY-FOURTH SESSION OF THE COMMISSION

DRAFT REPORT OF THE COMMISSION

Rapporteur: Mr. Roman KUZNIAR

CONTENTS*

Page

Chapter

XX. RIGHTS OF THE CHILD, INCLUDING:

(a) STATUS OF THE CONVENTION ON THE RIGHTS OF THE CHILD;

(b) REPORT OF THE SPECIAL RAPPORTEUR ON THE SALE OF CHILDREN, CHILD PROSTITUTION AND CHILD PORNOGRAPHY;

(c) PROGRAMME OF ACTION FOR THE PREVENTION OF THE SALE OF CHILDREN, CHILD PROSTITUTION AND CHILD PORNOGRAPHY;

(d) QUESTION OF A DRAFT OPTIONAL PROTOCOL TO THE CONVENTION ON THE RIGHTS OF THE CHILD ON THE SALE OF CHILDREN, CHILD PROSTITUTION AND CHILD PORNOGRAPHY, AS WELL AS THE BASIC MEASURES NEEDED FOR THEIR PREVENTION AND ERADICATION

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XX. RIGHTS OF THE CHILD, INCLUDING:

(a) STATUS OF THE CONVENTION ON THE RIGHTS OF THE CHILD;

(b) REPORT OF THE SPECIAL RAPPORTEUR ON THE SALE OF CHILDREN, CHILD PROSTITUTION AND CHILD PORNOGRAPHY;

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(d) QUESTION OF A DRAFT OPTIONAL PROTOCOL TO THE CONVENTION ON THE RIGHTS OF THE CHILD ON THE SALE OF CHILDREN, CHILD PROSTITUTION AND CHILD PORNOGRAPHY, AS WELL AS THE BASIC MEASURES NEEDED FOR THEIR PREVENTION AND ERADICATION

1. The Commission considered agenda item 20 and sub-items (a)-(d) at its 49th and 50th meetings, on 16 April, at its 53rd and 54th meetings, on 20 April, and at its 58th meeting, on 22 April. 1/

2. For the documents issued under agenda item 20 and sub-items (a)-(d), see annex IV to the present report. For a list of all resolutions and decisions adopted by the Commission and Chairman's statements, by agenda item, see annex V to the present report.

3. At the 49th meeting, on 16 April 1998, the Special Rapporteur on the sale of children, child prostitution and child pornography, Ms. Ofelia Calcetas-Santos, introduced her report (E/CN.4/1998/101 and Add.1 and 2).

4. At the same meeting, the Chairman-Rapporteur of the working group on a draft optional protocol to the Convention on the Rights of the Child on the involvement of children in armed conflicts, Mr. Nils Eliasson, and the Chairman-Rapporteur of the working group on a draft optional protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, Mr. Jorge Iván Mora Godoy, introduced the reports of the working groups on their fourth sessions (E/CN.4/1998/102 and E/CN.4/1998/103, respectively).

5. At the 53rd meeting, on 20 April 1998, the Special Representative on the impact of armed conflict on children, Mr. Olara Otunnu, introduced his report (E/CN.4/1998/119).

6. In the general debate on agenda item 20, statements 2/ were made by the following members of the Commission: Argentina (53rd), Bangladesh (53rd), Brazil (53rd), Chile (49th), Cuba (53rd), Czech Republic (53rd), El Salvador (50th), Guatemala (53rd), Indonesia (53rd), Japan (49th), Mexico (49th), Morocco (53rd), Pakistan (53rd), Philippines (53rd), Poland (53rd), Republic

of Korea (53rd), Russian Federation (53rd), Senegal (53rd), Sri Lanka (53rd), Sudan (53rd), Uganda (49th), United Kingdom of Great Britain and Northern Ireland (on behalf of the European Union, Bulgaria, Cyprus, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia, Slovenia) (49th), United States of America (53rd), Uruguay (49th), Venezuela (49th).

7. The Commission heard statements by the observers for: Australia (54th), Costa Rica (50th), Egypt (50th), Honduras (50th), Iran (Islamic Republic of) (54th), Iraq (50th), Israel (54th), Kenya (54th), Libyan Arab Jamahiriya (50th), New Zealand (50th), Nicaragua (54th), Norway (54th), Slovakia (54th), Thailand (54th). The observers for the Holy See (54th) and Switzerland (54th) also made statements.

8. Statements were also made by the observers for the United Nations Children's Fund (49th), the World Health Organization (50th), the International Committee of the Red Cross (50th) and the International Federation of Red Cross and Red Cresent Societies (54th).

9. The Commission also heard statements by the following non-governmental organizations: African Commission of Health and Human Rights Promoters (50th), Afro-Asian People's Solidarity Organization (50th), American Association of Jurists (50th), Association for World Education (50th), Christian Solidarity International (54th), Commission for the Defence of Human Rights in Central America (50th), Defence for Children International (joint statement with International Catholic Child Bureau, International Federation of Business and Professional Women, International Federation of Social Workers, International Movement ATD Fourth World and International Save the Children's Alliance) (50th), Family Planning Association of Pakistan (53rd), Federation of Associations for the Defence and Promotion of Human Rights (53rd), Federation of Cuban Women (50th), Fraternité Notre Dame (54th), Friends World Committee for Consultation (Quakers) (joint statement with Amnesty International and Human Rights Watch)(50th), Franciscans International (50th), Human Rights Advocates (53rd), Indian Council of Education (50th), International Association for the Defence of Religious Liberty (53rd), International Confederation of Free Trade Unions (50th), International Educational Development (50th), International Federation Terres des Hommes (50th), International Institute for Non Aligned Studies (50th), International Institute for Peace (50th), International Peace Bureau (53rd), International Progress Organization (54th), International Save the Children Alliance (50th),

North South XXI (54th), Organisation tunisienne de l'education et de la famille (54th), Pax Christi International (50th), World Federation of Democratic Youth (50th), World Federation of Methodist and Uniting Church Women (50th), World Movement of Mothers (joint statement with General Arab Women Federation and Union of Arab Jurists)(50th), World Muslim Congress (53rd), World Organization against Torture (50th), World Organization of Former Pupils of Catholic Education (50th).

10. A statement in exercise of the right of reply was made by the representative of Brazil (54th) and the observer for Costa Rica (50th).

Abduction of children from northern Uganda

11. At the 58th meeting, on 22 April 1998, the representative of Uganda introduced draft resolution E/CN.4/1998/L.40, sponsored by Botswana, the Democratic Republic of the Congo, Ethiopia, Portugal, Rwanda and Uganda. Kenya, Nepal, the United Republic of Tanzania and Zimbabwe subsequently joined the sponsors.

12. The representative of Uganda orally revised operative paragraph 7 and replaced operative paragraph 9 by a new text.

13. A statement in connection with the draft resolution was made by the representative of Pakistan.

14. At the same meeting, the representative of the Sudan introduced proposed amendments to draft resolution E/CN.4/1998/L.40 (E/CN.4/1998/L.84). He subsequently orally revised paragraphs 1 and 6 of the proposed amendments.

15. A statement in connection with the proposed amendments was made by the representative of Uganda.

16. In connection with draft resolution E/CN.4/1998/L.40 and the proposed amendments (E/CN.4/1998/L.84), as orally revised, statements in explanation of vote before the vote were made by the representatives of Austria, Brazil, Canada, Germany (on behalf of itself and Finland), India, Japan, Mexico, Uruguay and Venezuela.

17. At the request of the representative of Uganda, a roll-call vote was taken on the proposed amendments as to orally revised, to draft resolution E/CN.4/1998/L.40 (E/CN.4/1998/L.84), which were rejected by 16 votes to 6, with 30 abstentions. The voting was as follows:

In favour: Bangladesh, Indonesia, Pakistan, Russian Federation, Rwanda, Sudan.

Against: Austria, Botswana, Cuba, Czech Republic, Democratic Republic of the Congo, Denmark, Germany, Ireland, Italy, Luxembourg, Nepal, Poland, South Africa, Uganda, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Argentina, Belarus, Bhutan, Brazil, Canada, Cape Verde, Chile, China, Congo, Ecuador, El Salvador, France, Guatemala, Guinea, India, Japan, Madagascar, Malaysia, Mali, Mexico, Mozambique, Peru, Philippines, Republic of Korea, Senegal, Sri Lanka, Tunisia, Ukraine, Uruguay, Venezuela.

18. A statement in explanation of vote after the vote was made by the representative of Cuba.

19. At the request of the representative of Uganda, a roll-call vote was taken on draft resolution E/CN.4/1998/L.40, as orally revised, which was adopted by 24 votes to 1, with 27 abstentions. The voting was as follows:

In favour: Austria, Bangladesh, Botswana, Chile, Cuba, Czech Republic, Democratic Republic of the Congo, Denmark, El Salvador, France, Germany, Indonesia, Ireland, Italy, Luxembourg, Nepal, Pakistan, Poland, Russian Federation, Rwanda, South Africa, Uganda, United Kingdom of Great Britain and Northern Ireland, United States of America.

Against: Sudan

Abstaining: Argentina, Belarus, Bhutan, Brazil, Canada, Cape Verde, China, Congo, Ecuador, Guatemala, Guinea, India, Japan, Madagascar, Malaysia, Mali, Mexico, Mozambique, Peru, Philippines, Republic of Korea, Senegal, Sri Lanka, Tunisia, Ukraine, Uruguay, Venezuela.

20. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/75.

Rights of the child

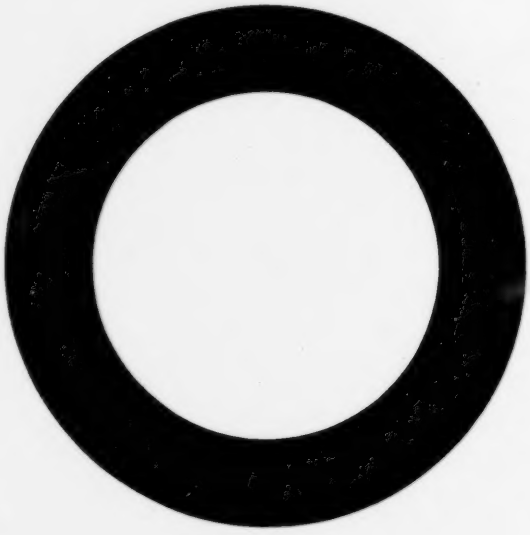
21. At the 58th meeting, on 22 April 1998, the representative of Uruguay introduced draft resolution E/CN.4/1998/L.92, sponsored by Argentina, Austria, Belgium, Bolivia, razil, Canada, Chile, Colombia, Costa Rica, Cuba, the Czech Republic, Denmark, the Dominican Republic, Ecuador, El Salvador, Estonia, Ethiopia, Finland, France, Germany, Greece, Guatemala, Haiti, Honduras,

Hungary, India, Italy, Japan, Luxembourg, Mexico, the Netherlands, Nicaragua, Paraguay, Peru, Poland, Portugal, Romania, Slovakia, South Africa, Spain, Sweden, Switzerland, Tunisia, the United Kingdom of Great Britain and Northern Ireland, Uruguay and Venezuela. Angola, Australia, Bangladesh, Belarus, Botswana, Bulgaria, Croatia, Cyprus, Georgia, Iceland, Ireland, Liechtenstein, Lithuania, Madagascar, Nepal, New Zealand, Norway, Panama, Pakistan, the Philippines, Slovenia, the Sudan, the former Yugoslav Republic of Macedonia, Togo, Uganda, Ukraine and the United States of America subsequently joined the sponsors.

22. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications 3/ of the draft resolution.

23. Statements in connection with the draft resolution were made by the representatives of the Russian Federation and Uruguay.

24. The draft resolution was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/76.



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REPORT TO THE ECONOMIC AND SOCIAL COUNCIL ON THE FIFTY-FOURTH SESSION OF THE COMMISSION

DRAFT REPORT OF THE COMMISSION

Rapporteur: Mr. Roman KUZNIAR

CONTENTS*

Chapter

XXI. FOLLOW-UP TO THE WORLD CONFERENCE ON HUMAN RIGHTS

* Documents E/CN.4/1998/L.10 and addenda will contain the chapters of the report relating to the organization of the session and the various items on the agenda. Resolutions and decisions adopted by the Commission, as well as draft resolutions and decisions for action by, and other matters of concern to, the Economic and Social Council, will be contained in documents E/CN.4/1998/L.11 and addenda.

GE.98-12507 (E)

XXI. FOLLOW-UP TO THE WORLD CONFERENCE ON HUMAN RIGHTS

1. The Commission considered agenda item 21 at its 7th meeting, on 19 March, at its 54th and 55th meetings, on 20 April 1998, and at its 58th meeting, on 22 April 1998. 1/

2. For the documents issued under agenda item 21, see annex IV to the present report. For a list of all resolutions and decisions adopted by the Commission and Chairman's statements, by agenda item, see annex V to the present report.

3. At the 7th meeting, on 19 March 1998, the United Nations High Commissioner for Human Rights, Ms. Mary Robinson, introduced her report (E/CN.4/1998/104 and E/CN.4/1998/122) (see also chapter III).

4. In the general debate on agenda item 22, statements 2/ were made by the following members of the Commission: Austria (54th), Bangladesh (55th), Brazil (54th), Chile (54th), China (54th), Denmark (54th), Germany (55th), Pakistan (55th), Russian Federation (55th), Tunisia (55th), Ukraine (55th).

5. The Commission heard a statement by the observer for Egypt (55th).

6. The Commission also heard statements by the following non-governmental organizations: Association for World Education (joint statement with Christian Solidarity International) (55th), Centre for European Studies (55th), Commission for the Defence of Human Rights in Central America (55th), Federation of Associations for the Defence and Promotion of Human Rights (55th), Human Rights Internet (55th), Indian Movement "Tupaj Amaru" (55th), International Movement for Fraternal Union Among Races and Peoples (55th), International Women's Tribune Centre (55th), Latin American Federation of Associations of Relatives of Disappeared Detainees (55th), World Federation of Democratic Youth (55th), World Muslim Congress (55th).

7. A statement in exercise of the right of reply or its equivalent was made by the observer for Ethiopia (55th).

Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action

8. At its 58th meeting, on 22 April 1998, the representative of Austria introduced draft resolution E/CN.4/1998/L.103, sponsored by Argentina, Austria, Bangladesh, Belarus, Bulgaria, Canada, Cape Verde, Chile, Costa Rica, Denmark, the Dominican Republic, Ethiopia, Finland, France, Georgia, Germany, Greece, Guatemala, Haiti, Hungary, India, Ireland, Italy, Japan, Latvia,

Liechtenstein, Lithuania, Luxembourg, Nicaragua, Norway, Poland, Portugal, the Republic of Korea, Romania, Senegal, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Ukraine, Venezuela and Zambia. Angola, Armenia, Australia, Belgium, Brazil, Canada, Cyprus, El Salvador, Madagascar, New Zealand, the Russian Federation, Thailand, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Uruguay subsequently joined the sponsors.

9. The draft resolution was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/78.